

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. No. 4:11-CR168 LRR
)
MARTIN T. SIGILLITO,)
)
Defendant.)

**GOVERNMENT'S MOTION FOR LEAVE TO FILE GOVERNMENT'S SENTENCING
MEMORANDUM NOT UNDER SEAL**

COMES NOW the United States of America, by and through its undersigned counsel, and requests leave of court to file the Government's Sentencing Memorandum not under seal and in support states:

The Government previously filed its Sentencing Memorandum (Doc. 345) in this case under seal to protect the identity and privacy of victims, particularly those named in the attachments to the Memorandum. The attachments also contained certain financial information about each victim's investment and loss in this case. During the Sentencing Hearing, the Government requested permission to file just the Memorandum itself, not including the attachments, in the public record as it did not reveal any private information not made public during the trial. The Court indicated that it would approve such a filing. Accordingly, the Government seeks leave of Court to file its Sentencing Memorandum as a new document, without referenced attachments, in the public domain.

WHEREFORE, the Government respectfully requests leave of Court to file the
Government's Sentencing Memorandum not under seal.

Respectfully submitted,

ERIC H. HOLDER, JR.
United States Attorney General

DAVE KETCHMARK
Acting United States Attorney
WESTERN DISTRICT OF MISSOURI

s/ Jess E. Michaelson
JESS E. MICHAELSEN, #52253
Special Attorney to the United States Attorney General

s/ Steven E. Holtshouser
STEVEN E. HOLTSouser, #33531
Special Attorney to the United States Attorney General

s/ Richard E. Finneran
RICHARD E. FINNERAN, #60768
Special Attorney to the United States Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2012, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Douglas P. Roller
dprcrimlaw@aol.com

s/Jess E. Michaelsen

JESS E. MICHAELSEN, #52253
Special Attorney to the United States Attorney General
Charles Evans Whittaker Courthouse
400 East Ninth Street, Fifth Floor
Kansas City, Missouri 64106

s/Steven E. Holtshouser

STEVEN E. HOLTSHouser, #33531
Special Attorney to the United States Attorney General
111 South 10th Street, Room 20.333
St. Louis, Missouri 63102

s/Richard E. Finneran

RICHARD E. FINNERAN, #60768
Special Attorney to the United States Attorney General
111 South 10th Street, Room 20.333
St. Louis, Missouri 63102